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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/769,759	02/03/2004	Satoshi Kouchiyama	01-546	8912
23400	7590	05/15/2006	EXAMINER	
POSZ LAW GROUP, PLC 12040 SOUTH LAKES DRIVE SUITE 101 RESTON, VA 20191			NGUYEN, CUONG H	
			ART UNIT	PAPER NUMBER
			3661	

DATE MAILED: 05/15/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b> 10/769,759	<b>Applicant(s)</b> KOUCHIYAMA, SATOSHI	
	<b>Examiner</b> CUONG H. NGUYEN	<b>Art Unit</b> 3661	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 02 March 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 11-23 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 11-23 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. This is the answer for an amendment filed on 3/02/2006. Claims 11-23 are pending wherein claim 23 is newly added.

#### ***Response to Amendment***

2. The examiner respectfully submits again that pending claims are directed to “system” (a system that comprises POI and supplemental items – “these data are searchable”); therefore, the rejection mailed on 3/24/2005 is maintained (please note that the amended clauses for independent claims 11 and 14 indicate that POIs were already well-known as “searchable information” without inputting POIs’ category, e.g., in searchable database, Sears - without inputting a category of department stores/POIs) because they are claimed that “that are searchable regardless of the categories of points of interest”. Cited reference of DeLorme et al. also provides supplemental information of a POI (that “supplemental information” (non-functional descriptive material) merely include further/extra information about that POI – e.g., “a food stop” at a specific highway exit having McDonald, Burger King, and KFC fast-food stores).
3. Above rationale for a search system read-on the claimed idea of “in a manner that enables the data on supplemental items to be searchable”; since there is no claimed distinguishing fact about “in a manner”.

#### **Claim Rejections - 35 USC § 112**

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

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4. Claims 17, and 20 recite a limitation of "according to claim 1" in line 1 of these claims.

There is insufficient antecedent basis for above limitation in the claims since claim 1 was canceled.

5. Independent claims 11, 14, and 23 recites "in a manner"; this phrase is vague in these "system" claims (i.e., only comprises "physical" components, or modules, or devices .etc.).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office Action:

*(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.*

6. **Claims 11-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over**

**DeLorme et al. (US Pat. 5,802,492).**

A. As per independent claims 11, 14, and 23: As best interpreted, these claims are directed to a system with physical components. DeLorme et al. teach a navigational system, comprising

claimed physical items:

- a data storage means (i.e., a data storage device);
- a control means (i.e., a control circuit).

DeLorme et al. do not expressly disclose an exemplary situation such as a sign-board comprising an exit number and related POI (this is a similar example of what the applicant claims because that POI contains extra information in a search database, that extra information can be an ATM, a place where one can buy cigarette – 7-11 stores, a gas station which sells diesel gasoline).

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However, the examiner respectfully submits that a “pop-up” window (for Restaurant: Burlington, VT) in Fig. 1L would display extra information about “Déjà vu Café Grill”, e.g., having an ATM etc. besides displaying text on menu, related landmark, and price ranking of that restaurant – therefore, it is well-known to include extra information of exit number in that pop-up window for Déjà vu Café & Grill. It is also known if the search is about an exit number on I-66, then the search result of that found exit having pop-up window containing Déjà vu Café & Grill with an ATM (see Fig. 1L, a pop-up window showing prices of different hotel (extra related information), or see Fig. 1M showing a campground at Shelburne, VT to a user for extra related information of private/public campground – they merely are extra information).

It would have been obvious to one of ordinary skill in the art at the time of invention to implement the idea of DeLorme et al.’s POI supplemental information with a supplemental item (e.g., inputting in a search database with “detailed” information: a restaurant having an ATM) because it helps a driver to recognize immediately which restaurant to stop for all his needs – besides; it is not a new idea when a driver can find that same information using a laptop computer while driving, that lap-top computer has been a supplemental tool (for a vehicle’s navigation system) to obtain claimed “extra information”.

B. As for dependent claims 17-22: These claims are directed to a system, with supplemental information such as displaying items comprise certain available facilities and services (e.g., gas stations having restrooms, a restaurant has a rest room: there is no need to search for this claimed item because those restrooms are MUST HAVE items – please note that in claims 17-22 the applicant uses a language of “one or more”; therefore, only a restaurant with a restroom is

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required to meet claimed limitation – this restroom is inherently included in a restaurant). They are rejected on obviousness using the same rationales as analyzed above.

C. As for dependent system claims 12, and 15: the control means/circuit displays the searched exit on the display means when the point of interest is located within a predetermined distance from the distinguishable searched exit (see DeLorme, the abstract, and col. 6, lines 10-18).

D. As for dependent system claims 13, and 16: the control means/circuit (see DeLorme, Fig.5, ref. 38) searches a route to the searched point of interest and displays the route on the display means (see DeLorme, Fig.1a, and col. 6, lines 35-38).

E. As for dependent system claim 12: the control means/circuit displays the point of interest on the display means when the point of interest is located within a predetermined distance from the current position (see DeLorme, col. 6, lines 10-18).

7. Note:

A. Delorme also suggests a control means/circuit searches for a point of interest in a category specified by an input from the user (see DeLorme, Figs. 2, 5 (ref.38), Fig.6 and col. 5 line 66 – col. 6 line 43).

B. Delorme also suggests a control means/circuit displays a searched exit on the display means (see DeLorme, col. 6, lines 5-9).

C. Delorme also suggests a control means/circuit displays a searched exit on the display means “in a manner” that the searched exit is distinguishable from other exits (see DeLorme, Fig.1 (a) – “EXIT ##”, and col. 6, lines 10-18).

D. Delorme also suggests a control means/circuit displays information regarding a supplemental item on a display means (see DeLorme, Fig.5 ref. 38, and col. 6, lines 10-18).

E. Delorme also suggests a control means/circuit displays a searched exit on a display means when the distinguishable searched exit is located ahead of a current position of the vehicle (see DeLorme, col. 6, lines 25-34).

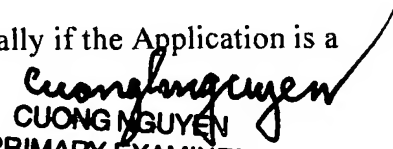
***Conclusion***

8. Claims 11-23 are not patentable.
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to CUONG H. NGUYEN whose telephone number is 571-272-6759. The examiner can normally be reached on 9:30 am - 5:30 pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, THOMAS G. BLACK can be reached on 571-272-6956. The Rightfax number for the organization where this application is assigned is 571-273-6956.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Please provide support, with page and line numbers, for any amended or new claim in an effort to help advance prosecution; otherwise any new claim language that is introduced in an amended or new claim may be considered as new matter, especially if the Application is a Jumbo Application.

  
CUONG NGUYEN  
PRIMARY EXAMINER